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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA, )  
11 Plaintiff, ) CR-S-09-078-JCM(RJJ)  
12 vs. )  
13 SAMUEL DAVIS, )  
14 SHAWN RICE )  
15 Defendant. )  
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18 IT IS HEREBY STIPULATED AND AGREED by and between Defendant, SAMUEL  
19 DAVIS, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States of  
20 America, by its counsel, DANIEL G. BOGDEN, United States Attorney and GREGORY  
21 DAMM, Assistant U.S. Attorney, that the sentencing hearing currently set for June 24, 2011 be  
22 vacated and reset in 90 days, preferably not on a Friday

23 This Stipulation is entered into for the following reasons:

24 1. A pre-sentence report was disclosed to counsel on May 10, 2011.  
25 2. Defense counsel needs additional time to review the report and make any objections to  
26 said report.  
27 3. Mr. Davis is currently not in custody and he has no objection to this continuance.  
28 4. Counsel has spoken to Mr. Gregory Damm and he has no objection to this continuance.

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1 5. The additional time requested by this Stipulation is not for purposes of delay but rather to  
2 allow the parties ample time to prepare for sentencing.  
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DATED this 3<sup>rd</sup> day of June, 2011.

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TODD M. LEVENTHAL, ESQ.  
Counsel for defendant  
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GREGORY DAMM, ESQ.  
Assistant U.S. Attorney

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
SAMUEL DAVIS, )  
SHAWN RICE )  
Defendant. )

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CR-S-09-078-JCM(RJJ)

**STIPULATION TO CONTINUE  
TIME SET FOR SENTENCING**

**FINDINGS OF FACT**

Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. A pre-sentence report was disclosed to counsel on May 10, 2011.

2. Defense counsel needs additional time to review the report and make any objections to  
said report.

3. Mr. Davis is currently not in custody and he has no objection to this continuance.

4. Counsel has spoken to Mr. Gregory Damm and he has no objection to this continuance.

5. The additional time requested by this Stipulation is not for purposes of delay but rather  
to allow the parties ample time to prepare for sentencing.

## ORDER

Accordingly, IT IS SO ORDERED that the June, 24 2011 hearing is vacated and the same is continued and reset for \_\_\_\_\_, 200\_\_\_\_\_, at the hour of \_\_\_\_\_ a.m., in courtroom #\_\_\_\_\_.

Dated this \_\_\_\_\_ day of June, 2011.

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**DISTRICT COURT JUDGE**